

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO
BEFORE HONORABLE DANIEL R. DOMINGUEZ

MINUTES OF PROCEEDINGS

DATE: May 22, 2000

CIVIL NO. 97-1268 (DRD)

LAW CLERK: Nathan J. Schulte

NYDZA BOU MALDONADO, et al.,

Attorney: Eric Quetglas Jordan

Plaintiffs,

v.

K-MART CORPORATION, et al.,

Marcos Ramírez Lavandero

Defendants.

Isabel Garcés Castro

A SETTLEMENT CONFERENCE was held today. The parties advised the Court as to the status of the case. Discovery is closed except for the specifications of the cart are to be conveyed to Plaintiffs. No further discovery is to made.

The Defendant informed the Court that a summary judgment motion was filed on May 19, 2000. The Court is not keen on dispositive motions filed on the eve of trial and past the Court imposed deadline. See Rosario-Diaz v. Gonzalez, 140 F.3d 312, 315 (1st Cir. 1998)(Court need not consider Summary Judgment filed beyond case-management deadline. Id. at 315-16.). Thus, the Defendant is **ORDERED by May 30, 2000** to demonstrate to the Court that the deadline for filing of dispositive motions has been extended. The Plaintiffs have until June 13, 2000 to oppose, if necessary. Should the Defendant's motion be untimely or should Defendant fail to conclusively show that the deadline for filing dispositive motions has been extended the Court may consider the motion under Fed. R. Civ. P. 50 or deny the motion as untimely.

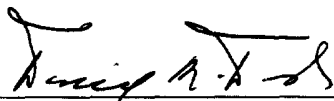
On another matter, Plaintiffs are **ORDERED by May 30, 2000** to file the brief on the issue of whether Plaintiff or a third party caused the accident as instructed in the March 8, 2000 conference. (Docket No. 45).

NO EXTENSIONS shall be granted. All deadlines are **FINAL** and **FATAL**.

The **TRIAL** by jury will commence on Monday August 7, 2000 at 9:00 a.m.
The Parties are strongly encouraged to further explore settlement.

s/c: Counsel of record

P \MINUTES\97-1268 MEM


DANIEL R. DOMINGUEZ
U.S. District Judge

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